

**COLVILLE, WASHINGTON
CITY COUNCIL MEETING MINUTES
OCTOBER 27, 2009**

7:00 PM: MEETING CALLED TO ORDER BY MAYOR RICHARD NICHOLS.

[7:00:20 PM](#)

ROLL CALL: FOLL, HANEY, WHITE, GRAY, JANKE, KYLE AND OHRTMAN.

[7:01:25 PM](#)

PRESENT: COUNCILMEMBER NANCY FOLL, COUNCILMEMBER MARILYN HANEY, COUNCILMEMBER BETTY WHITE, COUNCILMEMBER ED GRAY, COUNCILMEMBER LOU JANKE, COUNCILMEMBER DOUG KYLE AND MAYOR RICHARD NICHOLS.

ABSENT: COUNCILMEMBER ERIC OHRTMAN

STAFF PRESENT: DIRECTOR OF BUILDING/PLANNING JIM LAPINSKI, CITY CLERK/HUMAN RESOURCES MANAGER HOLLY PANNELL, CITY TREASURER VICKIE STRONG AND WATER/SEWER SUPERINTENDENT ERIC DURPOS.

SALUTE TO THE FLAG.

CONSENT AGENDA:

- #01. **MINUTES OF THE OCTOBER 13, 2009 COLVILLE CITY COUNCIL MEETING.**
- #02. **OCTOBER 28, 2009 CLAIMS CHECKS #40857 ~ #40928 IN THE AMOUNT OF \$81,577.29 AS APPROVED FOR PAYMENT BY THE AUDIT COMMITTEE.**
- #03. **OCTOBER 9, 2009 – OCTOBER 22, 2009 CONTRACT/AGREEMENT LIST REVIEW.**

MAYOR NICHOLS READ THE CONSENT AGENDA.

COUNCILMEMBER HANEY MOVED AND COUNCILMEMBER WHITE SECONDED THE MOTION THAT "VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING COMMITTEE AS REQUIRED BY RCW 42.24.080 AND THOSE EXPENSE REIMBURSEMENT CLAIMS CERTIFIED AS REQUIRED BY RCW 42.24.090 HAVE BEEN RECORDED ON A LISTING WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS DATE OCTOBER 27, 2009 AND DOES APPROVE FOR PAYMENT THOSE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS: OCTOBER 28, 2009 CLAIMS CHECKS #40857 ~ #40928 IN THE AMOUNT OF \$81,577.29" AND DOES APPROVE THE CONSENT AGENDA AS READ.

[7:02:34 PM](#)

MOTION PASSED.

PUBLIC HEARING:

- #04. **PUBLIC HEARING: REVIEW REVENUE SOURCES FOR THE 2010 BUDGET.**

[7:03:02 PM](#) MAYOR NICHOLS DECLARED THE PUBLIC HEARING TO REVIEW THE PRELIMINARY REVENUE SOURCES FOR THE 2010 BUDGET OPEN AT 7:03 P.M. AND STATED THAT EVERYONE PRESENT WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. THE CITY CLERK WILL BE RECORDING WHAT IS SAID. WHEN YOU ADDRESS THE COUNCIL, PLEASE STEP TO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS. ONLY ONE PERSON WILL BE ALLOWED TO SPEAK AT A TIME.

JACK SMITH, 1870 EAST IVY, STATED THAT LAST YEAR THE PROPERTY TAX WAS INCREASED AND THE SALES TAX REVENUE WENT DOWN AND THIS IS AFFECTING THE LOCAL ECONOMY. HE STATED THAT HE WOULD LIKE TO SUGGEST THAT WE LOWER THE PROPERTY TAX BY THE AMOUNT THAT IT WAS INCREASED LAST YEAR. THIS WOULD HELP INCREASE CONSUMER CONFIDENCE.

HOLLY O'CONNELL, 714 EAST 1ST AVENUE, ASKED A QUESTION ABOUT THE POPULATION FIGURE ON THE ESTIMATED REVENUE SHEET.

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[7:12:53 PM](#) AS THERE WAS NO FURTHER PUBLIC COMMENT ON THIS ISSUE, MAYOR NICHOLS CLOSED THE PUBLIC HEARING AT 7:12 P.M.

PUBLIC COMMENT PERIOD:

#05. PUBLIC COMMENT: THE FLOOR IS OPEN FOR ANY PUBLIC COMMENT.

COUNCILMEMBER KYLE ASKED JACK SMITH ABOUT HIS EXPLANATION OF HOW HE TOOK MONEY OUT OF THE ECONOMY. JACK SMITH STATED THAT HE CUT BACK ON HIS SPENDING DUE TO INCREASES IN OTHER AREAS.

JEFF HOLTER, 462 NORTH MAPLE, CHAIRMAN CIVIL SERVICE COMMISSION, STATED THAT RCW 41.12 GOVERNS THE CIVIL SERVICE COMMISSION. THEY PERFORM THE TESTING AND PRELIMINARY INTERVIEWS AND PROVIDE THE MAYOR WITH A LIST OF THE TOP 5 OR THE TOP 25% OF THE CANDIDATES FOR A GIVEN POSITION IN THE POLICE DEPARTMENT.

BILL MCCONNELL, 975 SOUTH SUMMIT, CIVIL SERVICE COMMISSIONER, STATED THAT IT WAS STATED AT THE LAST MEETING THAT THE PROCESS THAT THE COMMISSION PERFORMS ISN'T THAT MUCH DIFFERENT THAN WHAT WOULD BE DONE BY THE ADMINISTRATIVE STAFF. HE STATED THAT THERE IS A PERCEIVED SITUATION THAT THERE WILL BE A POTENTIAL THAT A NEW MAYOR COULD RELEASE A CHIEF EVERY TIME THE ADMINISTRATION CHANGES.

SUE SWIM, 211 SOUTH JEFFERSON, CHIEF EXAMINER/SECRETARY, STATED THAT THERE WERE A LOT OF QUESTIONS AT THE LAST COUNCIL MEETING. SHE ASKED WHY THEY WEREN'T INVITED TO THE LAST COUNCIL MEETING.

JIM NORTHRUP, 980 NORTH ELM, CIVIL SERVICE COMMISSIONER, STATED THAT THE COMMISSION PROTECTS THE MAYOR, THE DEPARTMENT AND THE COMMUNITY. PROBLEMS ARISE WHEN THE MAYOR HAS ABSOLUTE DISCRETION OVER THE CHIEF OF POLICE POSITION.

NEW BUSINESS:

COUNCILMEMBER KYLE MOVED AND COUNCILMEMBER WHITE SECONDED THE MOTION TO REMOVE FROM THE TABLE THE DISCUSSION AND DRAFT ORDINANCE REGARDING THE EXEMPTION OF THE POLICE CHIEF POSITION FROM CIVIL SERVICE.

[7:34:59 PM](#)

MOTION PASSED.

COUNCILMEMBER KYLE STATED THAT ONE CONCERN WAS THAT THIS COULD BECOME A POLITICAL ISSUE. HE ALSO QUESTIONED WHAT OTHER CITIES DO IN THIS SITUATION.

MAYOR NICHOLS STATED THAT OUT OF 120 CITIES THAT WE RESEARCHED, 92 OF THEM EXEMPT THE POLICE CHIEF FROM CIVIL SERVICE. THIS ONLY INCLUDES CITIES THAT ARE SIMILAR TO COLVILLE IN STRUCTURE.

COUNCILMEMBER FOLL STATED THAT SHE STILL HAS NOT HEARD WHY COLVILLE SHOULD DO THIS, THERE HAVE BEEN NO REASONS PRESENTED.

COUNCILMEMBER JANKE MOVED AND COUNCILMEMBER KYLE SECONDED THE MOTION TO POSTPONE DISCUSSION ON THIS ITEM TO THE NOVEMBER 10, 2009 COUNCIL MEETING.

COUNCILMEMBER GRAY STATED THAT THE LAW WAS CHANGED TO ALLOW THIS CHANGE HE WONDERED IF THE COMMISSION KNOWS WHY. SUE SWIM STATED THAT THEY DO NOT HAVE AN ANSWER FOR THIS QUESTION, IT IS SPECULATED THAT A LARGE CITY HAD A LOBBYIST.

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COUNCILMEMBER GRAY ALSO ASKED IF THE COMMISSION IS AWARE OF WHAT THE CITY PROCESS IS TO HIRE A POLICE CHIEF.

COUNCILMEMBER FOLL ASKED SECRETARY SUE SWIM WHAT THE HIRING PROCESS IS THAT IS USED BY THE CIVIL SERVICE COMMISSION. SHE ALSO ASKED HER TO EXPLAIN WHAT KINDS OF TESTS THE APPLICANTS ARE REQUIRED TO PASS. SHE ASKED IF THE QUESTIONS ARE LAW ENFORCEMENT SPECIFIC OR GENERAL. SUE SWIM STATED THAT THERE WOULD BE SOME KNOWLEDGE QUESTIONS, ETHICAL QUESTIONS AND SOME GENERAL QUESTIONS. SHE ALSO STATED THAT SHE HAS THE ABILITY TO DO MORE THOROUGH BACKGROUND INVESTIGATIONS.

COUNCILMEMBER KYLE STATED THAT MOST OF THE STUFF THAT HAS BEEN COVERED IS MORE GEARED TOWARD THE HIRING OF AN ENTRY LEVEL OFFICER. HE IS MORE INTERESTED IN HOW THEY WOULD QUALIFY A CHIEF OF POLICE CANDIDATE. HE ALSO STATED THAT THERE NEEDS TO BE A QUALIFICATION ASPECT FOR THE DEPARTMENT HEAD AND ADMINISTRATION DUTIES THAT THIS POSITION WOULD HOLD.

JEFF HOLTER STATED THAT THEY ARE ABLE TO PURCHASE TESTS FOR POLICE CHIEF ALSO. THE CIVIL SERVICE ALLOWS THE PUBLIC TO BE ASSURED THAT ONE PERSON ISN'T PICKING THE CANDIDATE FOR THIS POSITION. THEY WOULD ENSURE THAT THE BEST POSSIBLE CANDIDATES ARE GIVEN TO THE MAYOR. AS FAR AS THE ADMINISTRATION PIECE THEY WOULD LOOK FOR SOMEONE WITH EXPERIENCE.

[7:58:04 PM](#)

MOTION PASSED.

#06. DISCUSSION/ACTION: **PROPOSED CONSULTANT AGREEMENT FOR UPGRADES TO THE EXISTING TELEMETRY SYSTEM.**

COUNCILMEMBER HANEY MOVED AND COUNCILMEMBER WHITE SECONDED THE MOTION TO AWARD THE SCADA TELEMETRY SYSTEM IMPROVEMENTS CONSULTANT AGREEMENT TO APPLIED SOLUTIONS FOR THE ESTIMATED SUM OF \$32,972, PROVIDED THAT A CONSULTANT AGREEMENT WILL BE REVIEWED BY THE MAYOR PRIOR TO APPROVAL AND ANY WORK.

COUNCILMEMBER JANKE STATED THAT THERE ISN'T ACTUALLY A CONSULTANT AGREEMENT ATTACHED. HOW WILL THIS PROCEED, WILL THERE BE A CONTRACT.

WATER/SEWER SUPERINTENDENT ERIC DURPOS STATED THAT THERE WILL BE A CONTRACT AND WE CURRENTLY HAVE A CONTRACT WITH APPLIED SOLUTIONS. COUNCILMEMBER JANKE STATED THAT THIS COULD BE AN AMENDMENT TO THE CURRENT CONTRACT.

COUNCILMEMBER HANEY REQUESTED TO CHANGE THE MOTION TO INCLUDE THAT A CONTRACT WILL BE REVIEWED BY THE MAYOR PRIOR TO APPROVAL AND MAY BE ATTACHED TO THE CURRENT CONTRACT WITH APPLIED SOLUTIONS. THE SECOND CONCURRED.

[8:05:16 PM](#)

MOTION PASSED.

#07. DISCUSSION/ACTION: **POSSIBLE FINAL ACCEPTANCE OF THE JEFFERSON STREET WATER/SANITARY SEWER UTILITY PROJECT.**

COUNCILMEMBER HANEY MOVED AND COUNCILMEMBER KYLE SECONDED THE MOTION TO APPROVE FINAL ACCEPTANCE OF THE JEFFERSON STREET WATER/SANITARY SEWER UTILITY PROJECT IN THE AMOUNT OF \$155,325.42.

[8:10:10 PM](#)

MOTION PASSED.

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#08. DISCUSSION: 2010 PROPOSED BUDGET.

MAYOR NICHOLS STATED THAT WE WILL BE MEETING THURSDAY WITH ALL EMPLOYEE UNIONS AND HOPEFULLY WILL BE ABLE TO FINALIZE SOME BUDGET ISSUES BY THE NEXT MEETING.

COUNCILMEMBER JANKE ASKED WHAT OTHER AREAS WE ARE LOOKING AT TO BALANCE THE BUDGET.

MAYOR NICHOLS STATED THAT THINGS COULD CHANGE DRASTICALLY DEPENDING ON THE DECISIONS OF THE UNIONS. HE STATED THAT A LOT OF THE STAFF CHANGES HAVE ALREADY BEEN IMPLEMENTED.

THE MOST UP TO DATE NUMBERS AND ISSUES WILL BE PRESENTED IN FULL AT THE NEXT COUNCIL MEETING.

COMMITTEE OR SPECIAL REPORTS:

#09. CITY ATTORNEY: NO REPORT.

#10. COUNCIL PENDING ITEMS: NO REPORT.

INDIVIDUAL REPORTS BY MAYOR, COUNCILMEMBERS AND STAFF:

MAYOR NICHOLS STATED THAT THERE WAS A MEETING OF THE COLVILLE 2000 AND BEYOND COMMITTEE WITH LORI ISENBERG FACILITATING. HE STATED THAT THERE IS ANOTHER MEETING SCHEDULED FOR NOVEMBER 16. COUNCILMEMBER KYLE STATED THAT THERE IS A RANGE OF COMMITTEE MEMBERS. HE ALSO STATED THAT HE THOUGHT THE FACILITATOR DID AN EXCELLENT JOB. HE STATED THAT A LIST OF QUESTIONS WAS DEVELOPED AT THE MEETING THAT WILL BE ANSWERED AT FUTURE MEETINGS. HE STATED THAT THE OBJECTIVE IS TO DEVELOP A VISION FOR THE COMMUNITY AND THE AIRPORT WILL BE A PART OF THAT VISION.

CECIL MCNINCH STATED THAT RIGHT NOW THE COMMITTEE IS JUST VISIONING. HE STATED THAT SOME OF THE QUESTIONS COULD HAVE BEEN ANSWERED BY INDIVIDUALS THAT WERE AT THE MEETING AND THAT WAS NOT ALLOWED. SHE WAS HIRED TO DO A PARTICULAR JOB AND HOPEFULLY IF THERE IS AN AIRPORT IT WON'T BE PLACED ON TOP OF THE AQUIFER AND BY THESE HOMES.

RAYMOND DRIGGS STATED THAT HE HAS THE SAME OPINION AS CECIL. THERE WERE A LOT OF QUESTIONS BROUGHT UP AND RIGHT NOW THEY ARE WAITING TO SEE WHAT HER INPUT IS REALLY GOING TO BE AND WHAT HER ANSWERS ARE TO THE QUESTIONS THAT WERE RAISED.

COUNCILMEMBER FOLL EXPRESSED A LOT OF FRUSTRATION WITH THE AMOUNT OF COMMUNICATION THAT HAS BEEN PROVIDED ON THIS ISSUE. SHE STATED THAT LORI ISENBERG STATED IN SEPTEMBER THAT SHE WOULD COME BACK WITH A PLAN AND SHE HAS NOT RETURNED.

COUNCILMEMBER KYLE REVIEWED THE CONTENT OF THE LAST MEETING WITH LORI ISENBERG AND REVIEWED THE QUESTIONS THAT WERE RAISED.

COUNCILMEMBER JANKE QUESTIONED WHAT THE PUBLIC COMMUNICATION PLAN IS AND HOW IT WILL BE IMPLEMENTED.

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COUNCILMEMBER WHITE STATED THAT SHE RECENTLY HAD A FRIEND THAT NEEDED THE MEDICAL STAFF AT THE HOSPITAL AND THEY DID A FANTASTIC JOB AND SHE APPRECIATES THE MEDICAL COMMUNITY.

COUNCILMEMBER FOLL STATED THAT SHE HAS SOME LODGING TAX COMMITTEE BUSINESS. SHE STATED THAT THE HISTORICAL SOCIETY ASKED FOR ADDITIONAL FUNDING FOR 2009. THE LODGING TAX COMMITTEE VOTED TO RECOMMEND THAT THIS REQUEST BE APPROVED.

COUNCILMEMBER JANKE MOVED AND COUNCILMEMBER WHITE SECONDED THE MOTION TO APPROVE THE REQUEST FOR ADDITIONAL LODGING TAX FUNDING TO THE HISTORICAL SOCIETY IN THE AMOUNT OF \$8,140.

[8:59:42 PM](#)

MOTION PASSED.

DIRECTOR OF BUILDING/PLANNING JIM LAPINSKI STATED THAT THE PLANNING COMMISSION IS WORKING ON THE COMPREHENSIVE PLAN.

KATHY MCNINCH STATED THAT SHE WROTE A LETTER TO THE EDITOR ABOUT THE AIRPORT MEETING PROCESS. THE FACILITATOR IS DOING WHAT SHE WAS HIRED BY THE CITY TO DO. SHE STATED THAT BY THE MAKEUP OF THE COMMITTEE, YOU CAN ALREADY DETERMINE WHAT THE OUTCOME WILL BE. THERE ARE ONLY FOUR OF THE PEOPLE INVITED TO BE ON THE GROUP THAT ARE AGAINST THE AIRPORT. THE REST ARE FROM BUSINESSES AND OTHER AREAS THAT HAVE ALREADY COME OUT IN SUPPORT OF AN AIRPORT. THE OUTCOME WILL NOT BE WHETHER WE NEED AN AIRPORT, IT WILL JUST DETERMINE WHERE WE ARE GOING TO PUT IT. THIS WAY, THE CITY CAN GO BACK TO THE FUNDING AGENCIES AND SAY THAT THE CITY OF COLVILLE SUPPORTS AN AIRPORT. SHE STATED THAT PERSONAL PROPERTY RIGHTS WAS RAISED AS A QUESTION AT THE MEETING AND SHE DOESN'T BELIEVE IT MADE IT ON THE LIST OF QUESTIONS OR AREAS OF CONCERN. SHE STATED THAT SHE ASKED A QUESTION ABOUT STRONG FAMILIES AND EMINENT DOMAIN AND PROPERTY RIGHTS AND IT WASN'T EVEN PUT ON THE BOARD AND SINCE IT'S NOT RECORDED IT GETS LOST. SOME OF THE QUESTIONS PUT ON THE BOARD DID NOT ACCURATELY REFLECT HOW THE PERSON ASKED THE QUESTION. SHE ALSO THOUGHT THAT IT WAS INTERESTING THAT THERE WAS ONLY ONE WOMAN INVITED TO BE ON THE COMMITTEE.

AS THERE WAS NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER HANEY MOVED AND COUNCILMEMBER WHITE SECONDED THE MOTION TO ADJOURN THE MEETING.

[9:22:42 PM](#)

MOTION PASSED.

TIME OF ADJOURNMENT: 9:22 P.M.

MAYOR RICHARD NICHOLS

Attest:_____

Holly Pannell, CMC, PFO, City Clerk/
Human Resources Manager